

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

**AURELIO TARAZONA CARVAJAL, §
EDUAR HURTADO GARCIA, ELKIN §
HUMBERTO GÓMEZ PINTO, FREDY §
ALEXANDER HERRERA PICO, JAIRO §
ANDRÉS ARDILA PEÑA, JORGE §
ELIECER DIAZ GALVIS, WILSON §
FABIAN PEÑA CASTILLO, JUAN DAVID §
GARCÍA RODRIGUEZ, §
Plaintiffs, §**

EP-23-CV-00245-RFC

v. §

**MIJELUM, L.L.C., §
Defendant. §**

FOURTH AMENDED SCHEDULING ORDER

On this day, the Court considered the “Joint Agreed Motion to Extend Scheduling Order Deadlines and For New Trial Date” (ECF No. 33). The Court finds good cause to grant the parties’ request to amend the scheduling order. *See* Fed. R. Civ. P. 16(b)(4). Accordingly, the Court **GRANTS** the Motion and issues the following Fourth Amended Scheduling Order.

The Court amends the Third Amended Scheduling Order (ECF No. 26) as follows:

A. DEADLINES AND SETTINGS

1. ADR is mandatory. ADR must be completed no later than **February 8, 2025**. The parties shall **FILE** a report on alternative dispute resolution in compliance with Local Rule CV-88 before any dispositive motions are filed. The Court will not consider a dispositive motion until an ADR report is filed.
2. All parties asserting claims for relief shall file their designation of potential witnesses, designation of testifying experts, and a list of proposed exhibits, and shall serve on all parties, but not file, the materials required by Federal Rule of Civil Procedure 26(a)(2)(B) by **February 17, 2025**. Parties resisting claims for relief shall file their designation of potential witnesses, designation of testifying experts, and a list of proposed exhibits, and shall serve on all parties, but not file, the materials required by Federal Rule of Civil

Procedure 26(a)(2)(B) by **February 17, 2025**. All designations of rebuttal experts shall be filed within fourteen (14) days of receipt of the report of the opposing expert.

3. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, not later than thirty (30) days of receipt of the written report of the expert's proposed testimony, or not later than thirty (30) days of the expert's deposition, if a deposition is taken, whichever is later.
4. The parties shall complete discovery on or before **January 27, 2025**. Counsel may, by agreement, continue discovery beyond that deadline, but there will be no intervention by the Court except in extraordinary circumstances. No trial date will be vacated because of information obtained in post-deadline discovery.
5. The parties shall file all dispositive motions, if any, no later than **February 24, 2025**. Dispositive motions, as defined in Local Rule CV-7(c) and Appendix C, and responses to dispositive motions shall be limited to **twenty (20) pages** in length.
6. **May 19, 2025, at 9:00 a.m. Mountain Time** – This case is set for a **final pretrial conference** pursuant to Federal Rule of Civil Procedure 16 **before Magistrate Judge Robert Castañeda** in Courtroom #612, on the Sixth Floor of the United States Courthouse, 525 Magoffin Avenue, El Paso, Texas.

The Court may consider and take appropriate action on any of the matters itemized in Local Rule CV-16(f)–(g). In addition, the Court will address the parties' preparations for trial, discuss courtroom decorum, and resolve any pending matters.

Notwithstanding the provisions of Local Rule CV-16(f)–(g), each party must file and serve the information provided for in Local Rule CV-16(f) at least **fourteen (14) days** before the scheduled date for the final pretrial conference. Each party must file and serve the information provided for in Local Rule CV-16(g) at least **seven (7) days** before the scheduled date for the final pretrial conference.

7. **May 26, 2025, at 9:00 a.m. Mountain Time** – This case is set for **JURY TRIAL** **before Magistrate Judge Robert Castañeda** in Courtroom #612, on the Sixth Floor of the United States Courthouse, 525 Magoffin Avenue, El Paso, Texas.

B. ADDITIONAL INSTRUCTIONS AND ORDERS

Unless otherwise directed in a future Order of this Court, all other deadlines, not mentioned herein, are governed by the Local Rules of this District and the Federal Rules of Civil Procedure.

In the event that any of the above deadlines fall on a weekend or Court holiday, the deadline is modified to be the next Court business day.

Counsel are ordered to file a written motion of any conflict with the above scheduled trial date **within ten (10) days** of the date of this order. Failure to comply with this requirement will waive any continuance based upon a conflict in trial schedules.

Scheduling Order Modification: Changes to the items above require leave of Court and will be considered following an appropriate motion; however, the parties are required to file notice with the Court indicating the deadlines of any mutually agreed changes to the items numbered above. A change in any deadline contained herein will not extend or modify any other deadlines unless those deadlines are specifically extended or modified by order of the Court.

Notice of Settlement and Dismissal Papers: If the parties reach a settlement or otherwise resolve the case, the parties **MUST PROMPTLY FILE** a written notice, apprising the Court of their settlement or resolution, and if they require additional time (not exceeding thirty days, unless good cause is shown) to file dismissal papers, advising the Court by when they expect to file such papers. To the extent the parties are unable to file dismissal papers **by at least thirty (30) days** before trial, they **MUST FILE** a motion to vacate trial setting, stating why they are unable to file dismissal papers by that time.

SIGNED this 4th day of October, 2024.

A handwritten signature in black ink, appearing to read 'R. F. Castañeda', is written over a horizontal line.

ROBERT F. CASTAÑEDA
UNITED STATES MAGISTRATE JUDGE